

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

MOHAMMED CHOWDHURY, on
behalf of himself and all other persons
similarly situated, and JEAN
PLAISIR and DARLENE SMITH,
individually,

Plaintiffs,

v.

RAJA 786 FOOD INC., ZENAB FOOD
INC., SARDAR PIZZA INC.,
ROCKAWAY 786 FOOD INC.,
PENNSYLVANIA 786 PIZZA INC.,
PITKIN AVE 786 PIZZA INC., and
RAJA S. ALI,

Defendants.

No. 20-cv-04235 JRC

Magistrate Judge James R. Cho

**NOTICE OF UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF THE PROPOSED CLASS AND
COLLECTIVE ACTION SETTLEMENT**

PLEASE TAKE NOTICE that, upon the annexed Declaration of Benjamin Rudolph Delson, Esq., dated August 18, 2022, the exhibits annexed thereto, the accompanying memorandum of law in support of the unopposed motion for preliminary approval of the settlement agreement, and all the pleadings and proceedings heretofore had herein, the undersigned, without opposition, moves this Court, before the Hon. James R. Cho, United States Magistrate Judge, in the United States Courthouse, 225 Cadman Plaza E, Brooklyn, NY 11201 on a return date to be

set by the Court, for an Order:

- (1) Preliminarily approving the settlement reached by the parties in this action as embodied in their Settlement Agreement And Release attached as Exhibit B to the Delson Declaration;
- (2) Provisionally certifying the following settlement class (the "Class") under Federal Rule of Civil Procedure 23 in connection with the settlement process: All current and former non-exempt employees of Defendants Raja 786 Food Inc., Zenab Food Inc., Sardar Pizza Inc., Rockaway 786 Food Inc., Pennsylvania 786 Pizza Inc. and Pitkin Ave 786 Pizza Inc., at any time from April 22, 2019 to through the date of the Court's Order granting Preliminary Approval of the Settlement.
- (3) Approving the proposed Notices to the members of the proposed Class and to the FLSA Collective Action Plaintiffs, attached to the Delson Declaration as Exhibits C, D and D-1;
- (4) Appointing Mohammed Chowdhury as Class Representative, Granovsky & Sundaresh PLLC as Class Counsel, and Simpluris Inc. as the Settlement Administrator;
- (5) Instructing the parties to appear before this Court for a Final Approval and Fairness Hearing; and
- (6) For such other and further relief as the Court may deem just and proper.

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A proposed order is attached hereto as Exhibit E.

Dated: New York, New York
 August 19, 2022

Respectfully Submitted,

GRANOVSKY & SUNDARESH PLLC

/s/ Benjamin Rudolph Delson

Benjamin Rudolph Delson (BD-1724)
Alexander Granovsky (AG-6962)
48 Wall Street, 11th Floor
New York, NY 10005
delson@g-s-law.com
ag@g-s-law.com
(646) 524-6001
Attorneys for Plaintiffs